

EXHIBIT B

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SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

WASHINGTON FAMILIES STANDING
TOGETHER and ANNE LEVINSON,

Plaintiffs,

v.

SECRETARY OF STATE SAM REED, in
his official capacity,

Defendant.

09-2-31908-1 SEA
No. _____

DECLARATION OF KEVIN J. HAMILTON
IN SUPPORT OF PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING
ORDER

JULIE SPECTOR

I, Kevin J. Hamilton, declare:

1. I am an attorney with Perkins Coie LLP, counsel for plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth in this declaration and am competent to testify thereto.

2. According to the Secretary of State's ("SOS") website, since 1990 the SOS has conducted 57 signature checks for proposed initiatives or referenda. Of these signature checks, only four checked 100% of signatures, including the signature check for

DECLARATION OF KEVIN J. HAMILTON IN
SUPPORT OF PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER - 1

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 Referendum 71. See <http://wei.secstate.wa.gov/osos/en/initiativesReferenda/Pages/R->
2 [71FrequentlyAskedQuestions.aspx](http://wei.secstate.wa.gov/osos/en/initiativesReferenda/Pages/R-), which was printed on August 26, 2009, and is attached
3 as Exhibit A.
4

5
6 3. Attached as Exhibit B are true and correct copies of various news stories
7 regarding Protecting Marriage Washington's ("PMW") tactics in gathering signatures for
8 their Referendum 71 petition. A video clip at
9 <http://www.youtube.com/watch?v=47u2m4hH0SQ> also details examples of PMW's tactics
10 in gathering signatures for the Referendum 71 petition.
11

12
13 4. Attached as Exhibit C are true and correct copies of two letters received by
14 the Secretary of State from voters seeking to have their signatures removed from
15 Referendum 71 petitions, with the voters' names and other identifying information redacted.
16
17 I am informed and believe the SOS has rejected these requests.
18

19
20 5. On August 14, 2009, I received a voice mail from Katie Blinn and Shane
21 Hamlin, employees of the Secretary of State. A true and correct transcript of the voicemail
22 is set forth below. I have redacted the telephone number from the transcript of the message.
23

24
25 KATIE: Hi Kevin, this is Katie Blinn from the
26 Secretary of State's office and I have Shane Hamlin with me as
27 well. . . . Shane was there the day that we took the petitions—
28 and do you want to describe
29

30
31 SHANE: Sure, on the day that we accepted the
32 petitions, the campaign was actually sorting and organizing
33 them and preparing them to turn in at the bottom of the Capital
34 stairs and then hauling them up to us in boxes. As they were
35 kind of doing their pre-inspection, any petition that did not
36 have a signed declaration, they would stamp it with a signature
37 stamp by Larry Stickney. So Larry Stickney had his signature
38 converted into a stamp and they would stamp his name on any
39 that were not signed. I saw this a couple of times and I
40 assumed they did it with any that weren't signed.
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....
KATIE: Alright. Talk to you later.

6. Attached as Exhibit D is a true and correct copy of a Referendum 71 petition.

7. Attached as Exhibit E is a true and correct copy of the first page of a spreadsheet provided by the SOS on August 19, 2009 in response to a public disclosure request, as well as the cover email. The first page of the spreadsheet includes summary information at the top, which indicates that, at the time the spreadsheet was created, the SOS had accepted 2,508 petitions, bearing 33,966 signatures, where the signature-gatherer declaration has a stamp by Larry Stickney, rather than an actual signature. The spreadsheet also indicates the SOS has accepted 162 petitions, bearing 2,058 signatures, where the signature-gatherer declaration has no name or signature.

8. PMW has posted an "Open Letter to Friends of Referendum 71" on its website, which states that one of the PMW observers told Larry Stickney that his daughter's signature was rejected. See <http://protectmarriagewa.com/index.php/component/content/article/170-an-open-letter-to-friends-of-referendum-71>, a copy of which was printed on August 26, 2009 and is attached as Exhibit F.

9. Attached as Exhibit G is a memo from the SOS entitled "Procedures for the Recent Registration Check" dated August 17, 2009.

10. One of PMW's partner organizations specifically warned signature-gatherers that petitions would be rejected that did not comply with Washington law, so "[a]ll Signature Gather[er]s must sign the back of their petition form." See

1 http://referendum71.blogspot.com/2009_06_01_archive.html, a copy of which was printed
2
3 on August 26, 2009 and is attached as Exhibit H.
4

5 11. On August 27, 2009, the SOS announced that it will complete the verification
6
7 on Tuesday, September 1, 2009. See
8

9 http://seattletimes.nwsourc.com/html/localnews/2009753281_referendum27m.html.
10
11
12

13 **I declare under penalty of perjury under the laws of the**
14 **State of Washington that the foregoing is true and correct.**
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17
18 SIGNED at Seattle, Washington, this 27th day of August, 2009.
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21 s/Kevin J. Hamilton
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23 KEVIN J. HAMILTON
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DECLARATION OF KEVIN J. HAMILTON IN
SUPPORT OF PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER - 4

71718-0001/LEGAL16814712.1

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EXHIBIT A



Elections

Frequently Asked Questions Referendum 71 Signature Check

Nick Handy

Director of Elections
Office of Secretary of State

August 13, 2009

Question: What is Referendum 71?

Response: Referendum 71 is a proposed ballot measure that seeks a statewide vote on Senate marriage law that expands rights for couples registered with the Secretary of State's domestic partnership law.

Engrossed Second Substitute Senate Bill 5688 was passed by the legislature in 2009.

The state referendum process, authorized in the state constitution, allows sponsors to submit a referendum to the legislature to a vote of the people.

In this case, if a requisite number of valid signatures are submitted, Referendum 71 will appear on the ballot at the vote of the people.

The law passed by the legislature is currently on hold pending a signature check by the Secretary of State.

Question: How many signatures are required to put a referendum on the ballot?

Response: Washington State law requires that 120,577 valid signatures be submitted to the Secretary of State for the 2009 general election ballot in November 2009.

The Washington State Constitution established the required number of signatures for ballot measures. The number of signatures must be at least equal to 4% of the votes cast for the office of Governor in the most recent general election.

Question: How many signatures did sponsors of Referendum 71 submit?

Response: Sponsors of Referendum 71 submitted approximately 137,689 signatures on July 21, 2009.

Question: The Office of Secretary of State recently changed the manner in which information is provided. Can you explain why these changes were made?

Response: Because of the high interest in this petition, and the obvious fact that the signature of the Secretary of State decided early that it wanted to make as much information available as soon as

As a result of this decision, the office began posting on its website at the close of each business day rejected for that day.

This information was posted mid-stream, before the master checkers had completed researching the signatures.

As a result of this approach, numbers changed dramatically after the full research and review was complete. The resulting data was confusing and created an uncertainty. This confusion and uncertainty was expressed in editorial articles and blog postings.

As a result, the Office of Secretary of State changed the method of reporting information to the public.

The most significant change is that information is not being reported mid-stream but is being reported after the master checkers have completed the research and signature check process on a bound volume of petition sheets.

There are two relatively small categories of signatures that will remain fluid, and could change after the verification process.

- There are registrations in which the signature image on the state voter registration database was not transmitted properly from the county voter registration system to the state voter registration database. In these situations, the state requests the county to provide a better image of the signature. The state will update the signature images through the verification process.
- There are registrations submitted recently that may not appear in the database being used by the master checkers. The master checkers search for a signer's name to ascertain whether the person is registered in the statewide voter registration database; they do not actually search on the statewide voter registration rolls, most checkers are not doing so for purposes, and to maintain the accuracy of the voter registration rolls, most checkers are not using the statewide voter registration database. The copy that checkers are using is an extract that was used to conduct the signature verification for Initiative 1033, which occurred at the beginning of July. The data that were submitted after this data extract will not be available to the checkers researching the signatures. The state will use the live statewide voter registration database to confirm whether a signer is registered.

In the current form of reporting the progress of the verification, data will be reported by volumes of signatures checked in a day.

Signature petitions are randomly bound in volumes of 15 petition sheets per volume. For this signature verification process, the number of signatures in each volume varies because not all petition sheets have the same number of signatures.

Once a volume has been both checked and master checked, the Office of Secretary of State is releasing the information. Reporting will occur once daily, typically in the afternoon, in spreadsheet format that will allow those doing the calculations. This method of reporting provides more information because it reflects the final snapshot.

Question: Who verifies signatures on a referendum petition to ensure the proper number of valid signatures?

Response: For over 50 years the Office of Secretary of State has been charged by statute with verifying signatures on referendum petitions.

Question: Is the Secretary of State authorized to perform random checks of signatures or must the legislature authorize such checks?

Response: The legislature has authorized the Secretary of State to establish, by rule, a random sampling of signatures on initiatives and referenda.

The Secretary has published rules establishing criteria for conducting a random sample signature are based upon a mathematical algorithm devised by a mathematics professor at the University of

Generally, the random sample method can be used when a ballot measure sponsor submits a total required minimum – 25% or more of the minimum required.

For example, sponsors of Initiative No. 1033 in 2009 submitted 315,000 signatures. For an initiative Since the number of signatures submitted far exceeded the number of signatures required, the actual the signatures submitted.

Question: Is Referendum 71 a random check or a 100% check, and how often is a 100% check conducted?

Response: Referendum 71 is being conducted as a 100% check. This is because the sponsors 120,577 signatures are required by law. The margin of excess signatures is so low, about 17,000 not confident the random sample procedure will accurately conclude that there are sufficient valid General Election ballot. Therefore, the office has determined that a 100% check is appropriate.

Since 1990, the Secretary of State has conducted 57 signature checks on initiatives and referendums. Referendum 71, have been 100% checks. The remaining 53 checks were completed using the random

Question: Can an initiative or referendum petition be rejected on a random check?

Response: No. An initiative or referendum petition may be approved on a random check but may a petition fails the random check, a 100% check must be conducted before the petition may be rejected

Question: Please describe the process that is used to verify signatures on a referendum petition

Response: The Elections Division of the Secretary of State's Office hires temporary workers to process petitions, though many of these temporary workers have experience checking petitions from previous

For Referendum 71, the Elections Division has hired approximately 30 signature checkers and 8 running two work shifts per day, from 7:30 am to 3:30 pm, and from 3:30 p.m. to 10 p.m.

Referendum petitions are bundled into volumes containing 15 petition sheets. Because the number the number of total signatures in each packet varies accordingly. Each volume has an assigned number

A signature checker "checks-out" a volume and proceeds to review all the signatures in that volume computer terminal. The checker enters identifying information for each signer to bring up that signer's registration record is identified, the checker compares the signature on the petition with the signature

Question: What are the reasons for rejecting a signature?

Response: Signatures are rejected based on one of four reasons:

1. The signer does not appear to be registered to vote in Washington. A registration for the petitioner will be rejected because a signer must be registered to vote in Washington for the signature to be valid. If unable to find the signer's registration among the over 3.6 million people registered to vote. In addition, some people do not print legibly, and some people provide a different name than that on the petition. A subsequent search, conducted by a more experienced master checker, a signer's registration information subsequent search on the live statewide voter registration database may reveal a registration that was missed in the I-1033 signature verification process.
2. The signature on the petition cannot be compared to the signature on the state list of registered voters.

signature in the statewide voter registration database may be of poor quality, or was not transferred from the county registration system to the state voter registration system. In these cases, the Secretary of State's Office will request the signer to obtain a better image of the voter registration signature. Once the signature is reviewed, Experience indicates that many of the signatures in this category are accepted. The signatures will remain fluid until the end of the verification process because the Secretary of State's Office does not remove signatures from county election offices until that time.

3. The signature on the petition sheet does not match the signature in the person's voter registration. The signature on file must be reviewed by at least two checkers before it is accepted.
4. The same signature appears more than once on the petition sheets. Only one signature from a voter is accepted. Once a voter's signature is accepted, any duplicate signatures on Referendum 71 are rejected. Experience indicates that this number will slowly increase as a full verification process has been completed.

Question: What is the role of master checkers?

Under policies established by the Office of Secretary of State, a signature may not be rejected by a signature checker.

Any signature that has been rejected by a signature checker is also referred to a master checker. If a signature has been rejected by a signature checker and the rejection must be confirmed by the master checker.

Master checkers are experienced checkers who have worked in the initiative and referendum checks. They are more experienced at searching the voter registration rolls to find registered voters.

As a result of this experience, master checkers are more effective at finding voter registration records.

The vast majority of situations in which a master checker would change the decision of a signature checker is able to locate a signer's voter registration record, after the signature checker could not find the record.

Difficult to find registrations might include, for example, a common name like John Smith, with a difficult to find situation where a voter has moved and did not update his voter registration information with the County Clerk's Office where a voter has used a different first name than what appears on the voter registration record such as Elizabeth, or Jack instead of John. Other situations may involve voters who have changed their names. The petition requests the signer's name, signature, and address; it does not request a date of birth. Master checkers assist in locating the signer's registration. For example, there are over 32,000 people registered with the last name of Johnson.

Master checkers are more experienced and skilled at searching the database for these difficult to find signatures.

The more experienced checkers are also used to search the live database for recent registrations. The data extract occurred for the summer initiative and referendum signature checks.

Question: Do master checkers double check approved signatures?

Response: Master checkers only review rejected signatures. Master checkers do not review approved signatures.

In the case of approved signatures, the signature checker has located the voter registration record on the petition sheet with the signature on the voter registration record. These signatures either match or do not match. A supervisor or master checker to help with a close call. To recheck all approved signature verification work already completed.

Question: What percentage of signatures submitted by Referendum 71 sponsors must be approved signatures?

Response: Given that Referendum 71 sponsors submitted approximately 137,689 signatures, all must be found to be valid in order to confirm 120,577 valid signatures.

Stated in the converse, the Referendum 71 signature rejection rate must be 12.42% or lower.

Question: What are the typical approval or rejection rates that have been achieved by other initiatives?

Response: The Office of Secretary of State has posted [here](#) the results of all initiative and referendum years. The rejection rate on these petitions ranges from a low of 10% to a high of 25%. The average Initiative No. 1033 approved just last month, the rejection rate was 12.14%.

Question: Where is the current signature verification information for Referendum 71 posted?

Response: The most current information is posted on the Elections Division website [here](#). The results of the signature verification are found.

Question: How do duplicates factor into the process?

Response: Duplicates are probably the single most significant factor in a close signature check.

Once a representative sample of signatures has been checked, trends become established for the number of signers whose signatures do not match. Once established, it would be unusual for

That is not the case with duplicates. When only 1,000 signatures have been checked, the next signature pool of 1,000 signatures already checked. The likelihood of finding a duplicate in a pool of 1,000

But, when 130,000 signatures have been checked, the likelihood of finding a duplicate signature increases.

Thus, as the pool of signatures checked increases, the likelihood of finding duplicates increases.

The result of this dynamic with duplicates is that the rejection rate that appears established early in the signature check progresses.

Question: Given the current rejection rate and the number of duplicates being found, is Referendum 71 likely to pass?

Response: The policy of the Office of Secretary of State is to make all data available as promptly as possible as the outcome of a petition signature check.

The Office of Secretary of State can only say that the numbers are extremely close on Referendum 71.

Question: What role do observers play in the process?

Response: State law allows for interested parties to have observers at all stages of the signature check.

Normal state standards would allow two observers per side. In this case, based on a request by one side, the Office of Secretary of State has authorized three observers per side.

On the Referendum 71 signature check, six observers, three from each side, are actively monitoring the process.

Observers may stand next to a signature checker or a master checker and review the signature check. They may talk with signature checkers or master checkers, and may not write down or otherwise record the results of the signature check.

Observers may convey to the Office of Secretary of State supervisors any concerns and may also a signature decision for which an observer may not agree.

In the Referendum 71 situation, both sides have requested the Office of Secretary of State to revik being accommodated.

Question: Is the Referendum 71 process in litigation?

Response: The Office of Secretary of State has received five public records requests for copies

As a matter of state law and past practice, the Office of Secretary of State has always made these making a public records request. Because a digital image was taken of every petition sheet subm a CD disk and in other formats.

The copies of the petition sheets were made before the verification process began, and therefore signatures were later accepted or rejected.

A lawsuit has been filed in federal court to prevent the release of this information and a federal dis restraining order preventing the Office of Secretary of State from releasing this information. A cou deciding these issues.

The five public records requests, and documents filed in the litigation, are posted on the Secretary

Question: When will the Referendum 71 check be completed?

Response: The Office of Secretary of State projects that the signature check process will be corr

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EXHIBIT B

The Seattle Times

Monday, August 3, 2009 - Page updated at 09:49 AM

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Referendum 71 backers gather 138,000 signatures

By Lornet Turnbull
Seattle Times staff reporter

The odds seemed almost insurmountable.

In late May, a consortium of religious conservatives set out to collect enough signatures to put a referendum on the November ballot repealing the final piece of the state's domestic-partnership law that would give gay, lesbian and some senior-citizen couples the same benefits as married folks.

Gov. Chris Gregoire delayed signing the legislation as long as she could, eliminating roughly one-third of the 90 days referendum backers had to collect the 120,577 signatures needed.

Organized as Protect Marriage Washington, supporters lost even more time attempting the nearly impossible: fitting 114 pages of the bill text onto a single petition sheet — with space for a ballot title, referendum summary and 20 lines for voters to sign — and all big enough to be readable.

On top of that, a group of gay-rights activists announced at the same time that they would publish online the names and addresses of all those who signed Referendum 71 petitions — a tactic referendum backers managed to temporarily block last week in federal court.

Despite it all, and working shop fronts and music festivals, church congregations and the occasional Sunday morning pulpit, referendum backers in the end turned in 137,689 signatures to the secretary of state.

The signatures are being counted over the next two weeks to determine if there are enough to qualify the referendum for the ballot.

That the campaign got even this far shocked many — particularly those in the gay community who had done little publicly to counter it, and now are left to ponder: How did they pull that off?

"Before ... the general attitude in the gay community was, 'They're never going to make it,'" said Bill Dubay, longtime gay activist. "Now everywhere I go, it's all most gay people want to talk about. People are pissed off."

Critical of leadership

Dubay said he believes gay leadership is too concerned with maintaining a positive image for the gay community and that an online campaign to get people to pledge not to sign was too passive. Referendum backers "never should have gotten even 120,000 signatures," he said.

A recent University of Washington poll might suggest as much, showing that 77 percent of voters believe gay and lesbians couples should have at least some of the same benefits as married couples.

What's more, referendum backers got their signatures despite dissension among their religious leaders, who were split in their support of the referendum.

Gary Randall, president of the Faith and Freedom Network, said the organizations that make up the campaign marshaled their forces. Members contacted family and friends, who in turn contacted like-minded people they knew.

They worked congregations, getting petitions signed inside and outside churches.

On Facebook, the group invited conversation and urged support — demonstrating that gays aren't the only ones who can mobilize online.

Signature gatherers — some paid — set up in the parking lots of retail stores. They worked fairs and festivals across the state.

"We contacted pastors. Sometimes they felt free to speak from the pulpit; sometimes they didn't," Randall said. In the end, "we weren't surprised, we were grateful."

No organized opposition

While there was no real organized opposition from gay leadership, petition gatherers cite several incidents where they were harassed by opponents. At the same time, gay advocates accuse referendum backers of running a campaign filled with distortion and lies — in some cases telling voters the measure was a ban on gay marriage.

Josh Friedes is spokesman for Washington Families Standing Together, a broad coalition of organizations from labor to civil-rights groups that support the domestic-partnership law.

He said those most surprised by the signature-gathering outcome are young people — gay and straight — who simply assume most voters support gay rights.

"There's a segment of the Washington electorate that is strongly opposed to the legal recognition of gay and lesbian families," he said. "Among young voters, in larger metro areas especially, there's a tendency to forget that constituency exists."

About the bill

Through Senate Bill 5688, initially dubbed the everything-but-marriage bill, the Legislature voted to expand the state's domestic-partnership law by adding such partnerships to all remaining areas of state law where only married couples are now mentioned.

Protections include the right of one partner to adopt another's child without paying for a home study as well as the right to use sick leave to care for a domestic partner. The state's domestic-partnership law, first established in 2007, applies not only to gay and lesbian couples, but to heterosexual couples, where at least one partner is older than 62.

While gay-rights advocates say the measure ensures that all Washington families are treated fairly, foes say the law makes domestic partnerships legally indistinguishable from heterosexual marriage and that all it would take is a challenge in court for gays to obtain marriage.

Maureen Richardson, director of Concerned Women for America of Washington, said that in gathering

signatures, "I began by asking people: How do you define marriage and all the benefits that go with it.

"Many of the places I went, I got a pretty good response. There were those who chose not to sign; there were some who wanted to debate me. A majority of people didn't know about the bill."

Looking ahead

If the referendum qualifies for the November ballot, both camps face a tough job educating voters on a complicated issue.

Friedes said gay-rights backers must show that gay couples have been in domestic partnerships for more than two years — without dire consequences.

While he ultimately wants same-sex marriage legalized, "that's a conversation for another day," he said. "This is about whether gay and lesbian families will have a basic safety net that is less than equal but very meaningful for families."

Randall said referendum backers, meanwhile, need to get voters to look ahead — at where this is all headed: gay marriage.

"We are confident we can explain this to the public — and to the Christian and conservative community, to be sure," he said. "This isn't marriage, technically. But for all practical purposes it is."

Lorinet Turnbull: 206-464-2420 or lturnbull@seattletimes.com

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HeraldNet

Everett, Wash.

Published: Tuesday, July 21, 2009

REFERENDUM 71

Petitioners not paid to tell truth

Paid petitioners (\$1 per signature) are gathering signatures this week at a Wal-Mart in Bellingham, to get the anti-domestic partnership Referendum 71 on the ballot. The petitioners are using slander as a means of getting voters to sign.

They say domestic partnerships are harmful to children, that public schools will have to teach children about homosexuality, that the legislation was passed without our permission and that the courts will be tied up with divorce cases.

I want to personally thank all the supportive people up in Bellingham who have gone to Wal-Mart and stood beside the signature gatherers and gracefully informed the would-be signers that what they're being told is not based on truth.

The voters of Washington elected legislators to enact laws. The referendum process often frustrates the legislative process of debate. If voters don't approve of what lawmakers do, then they should elect a Legislature that will enact laws they can approve of.

Bob Teichman

Tulalip

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Chehalis woman says petitioner harrassed her outside store

Wednesday, July 22, 2009 2:40 PM PDT

By Eric Schwartz
The (Centralia) Chronicle

Chehalis resident Michelle Watson sat along Louisiana Avenue near the Twin City Town Center on Monday among friends, family and signs, all of which were beckoning passing motorists to embrace civility in the ongoing debate over the so-called "everything but marriage" act.

The demonstration, attended by about a dozen local women and their children, was a reaction to a run-in with a paid petition gatherer for Referendum 71, Watson said.

On Sunday, Watson and her 8-year-old daughter Allison were met near the entrance of Wal-Mart by a man asking for her signature on the petition aimed at putting the recently passed state legislation before voters, she said.

To secure a ballot spot, petitioners must turn in 120,577 valid voter signatures to the Secretary of State's office by Saturday. Watson wouldn't sign, but said the man refused to relent, pressing her for information and following her in the parking lot.

"I said 'don't spread that garbage,'" said Watson, who had a friend report this issue to police. "Apparently he didn't like the answer."

It wasn't the message that offended her, she says, but the tactics used to gain signatures. Allison said she was scared by the ordeal, and began to cry. She identified the man, who was again at the doors of Wal-Mart on Monday. Working with a group of girls who fed three Chihuahua puppies on a table covered in signed and unsigned petitions, he stopped customers coming in and out of the store.

He initially refused to comment when approached by The Chronicle, citing multiple unspecified reasons. The identification card hanging from his neck bore the name Dan Ricca, though he later said he would neither confirm nor deny that as his identify.

An Internet search engine revealed Ricca has been accused of multiple election and voter fraud schemes in Oregon and California in past years. He was among a group of 10 men and two women named in a 2006 release from the California Secretary of State for filing fraudulent voter registration cards in Orange County.

A five-month investigation linked Ricca and others to illegally filed petitions and the registering and re-registering of voters without their knowledge. A release stated that most of the frauds occurred in front of large retail establishments, specifically Wal-Mart and Target.

A 2006 investigative report by the Orange County Register alleged additional wrongdoing, citing interviews from fellow petition gatherers and associates. There is no evidence Ricca was ever convicted of a crime.

When approached with the information by The Chronicle, Ricca once again refused to comment.

"Let's say I know the person," he said, still wearing the Dan Ricca name tag. "There's a lot of false information and accusations about him out there."

A fellow petitioner who identified himself only as "Leonard" said he and Ricca were paid petitioners traveling the Interstate 5 corridor to gain signatures, though he wouldn't confirm his employer. He said that he and others were victims of harassment as well, from people who have stolen, destroyed and discarded their petitions.

As the deadline approaches, paid petition gatherers are not the only ones mobilizing in support of Referendum 71. Local religious leaders and clergy launched an effort in June to gain signatures throughout the community.

The "everything but marriage" act stipulates that same-sex couples, or any couple that includes one person age sixty-two or older, may register as a domestic partnership with the state. Registered domestic partnerships are not marriages, and marriage is prohibited except between one man and one woman. But the bill would extend to domestic partners and their families all rights, responsibilities and obligations granted by state law to married couples and their families.

Petition gatherers are allowed by state law to work on private property, even against the will of the owner in some cases, according to an analysis of the law by Washington Attorney General Rob McKenna in 2007. He cited numerous court cases that explain caveats in how and when petition writers are allowed to gather at shopping centers.

A call to the corporate office of Wal-Mart had not been returned as of press time.

Related article:

Same-sex rights battle may make it to the ballot

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Tacoma, WA - Wednesday, August 26, 2009

[< Back to Regular](#)

GAY RIGHTS: Legislators OK'd rights, not marriage

KAREEN SHANKS; Puyallup

Last updated: July 23rd, 2009 12:15 AM (PDT)

When I went to our local Wal-Mart recently, a man was out front getting petition signatures for Referendum 71. It would repeal Senate Bill 5688, which the Legislature passed to give registered domestic partners some of the same rights as other couples, namely the right to share health, auto, and home insurance; the right to visit and make health care decisions for each other; etc.

What really upset me was that the signature gatherer said it was against gay marriage, which was untrue. The people signing the petition were being misled.

When I went into Wal-Mart, I decided to purchase pens and poster board to make my own sign stating what the petition was really about. I then went to customer service to ask if I could stand away from him and "protest" his petition. The manager said I couldn't.

I am a strong supporter of equal rights for all citizens. As the proud mother of a gay son who is a responsible citizen of Washington state, I have decided that we need to fight for these rights.

Originally published: July 23rd, 2009 12:15 AM (PDT)



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1950 South State Street, Tacoma, Washington 98405 253-597-8742

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EXHIBIT C

Secretary of State -
Elections Division
ATTN: Teresa Glidden
520 Union Ave SE
Olympia, WA 98502

7/23/09

Dear Ms. Glidden-
I recently signed a petition in support of Initiative 71 by mistake. I hereby request that my personal
signature be *removed from the list*. I do NOT support this initiative.

Thank You,

Vashington

August 3, 2009

Washington Secretary of State
Elections Division
520 Union Ave SE
PO Box 40229
Olympia, WA 98504-0229

RECEIVED

AUG 10 2009

Office of the Secretary of State

Dear Election Officials:

I believe my signature may be erroneously included on a petition to place Referendum 71 on the November ballot for voter consideration. If it is, my signature was obtained under false pretenses as the signature gatherers misrepresented themselves to me. They stated they were gathering signatures in support of SB 5688.

Please remove my signature from the petition and reject it for the purpose of obtaining enough valid signatures for this referendum to be placed on the November ballot.

I signed because I support SB 5568 that was approved by the State Legislature and signed into law by the Governor earlier this year that expands on previous domestic partnership laws, giving additional spousal rights and benefits to domestic partners, including same-sex couples and unmarried senior heterosexual couples.

Like many other citizens and organizations in Washington State, I have joined Washington Families Standing Together, which is a coalition that has formed to save our domestic partnership law. If Referendum 71 is on the ballot in November, I'll be voting to approve the domestic partnership law.

Sincerely,

EXHIBIT D

Preserve Marriage, Protect Children **R-71**

Highlights

■ The legislature has passed a law that effectively makes same-sex marriages legal by signing R-71 we can reverse that decision and protect marriage as between one man and one woman.

■ If same-sex marriage becomes law, public schools (K-12) will be forced to teach that same-sex marriage and homosexuality is normal. After over the objections of parents sign R-71 to protect children.

Ballot Measure Summary

Same-sex couples, or any couple that includes one person age sixty-two or older, may register as a domestic partnership with the state. Registered domestic partnerships are not marriages, and marriage is prohibited except between one man and one woman. This bill would expand the rights, responsibilities, and obligations of registered domestic partners and their families to include all rights, responsibilities, and obligations granted by or imposed by state law on married couples and their families.

WARNING:

Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

Ballot Title:

Statement of Subject: The legislature passed Engrossed Second Substitute Senate Bill 5588 concerning rights and responsibilities of state-registered domestic partners and voters have filed a sufficient referendum petition on this bill.
Concise description: This bill would expand the rights, responsibilities, and obligations accepted state-registered same-sex and senior domestic partners to be equivalent to those of married spouses, except that a domestic partnership is not a marriage.

Should this bill be:

☐ Approved

☐ Rejected

To the Honorable Sam Reed,
Secretary of State of the State of Washington

We, the undersigned citizens and legal voters of the State of Washington, respectfully order and direct that Referendum Measure No. 71, filed to amend the constitution that would expand the rights, responsibilities, and obligations accepted state-registered same-sex and senior domestic partners to be equivalent to those of married spouses, except that a domestic partnership is not a marriage, and was passed by the 61st Legislature of the State of Washington at the last regular session of said legislature, shall be referred to the people of the state for their approval or rejection at the regular election to be held on the 3rd day of November, 2009, and each of us the undersigned hereby say: I have personally signed this petition; I am a legal voter of the State of Washington; in the city (or county) and county written after my name, my residence address is correctly stated, and I have knowingly signed this petition only once.

All Washington State voters may sign this statewide referendum. Print and sign clearly!

Printed Name of Registered Voter	Signature of Voter	Your Home Address	City County	Email Address
0. JOHN Q. CITIZEN	<i>John Q. Citizen</i>	71 All the Way	Arlington Snohomish	R71@ProtectMarriageWA.com
1.	Please sign as registered to vote	Your Address	City County	Your Email Address
2.	Please sign as registered to vote	Your Address	City County	Your Email Address
3.	Please sign as registered to vote	Your Address	City County	Your Email Address
4.	Please sign as registered to vote	Your Address	City County	Your Email Address
5.	Please sign as registered to vote	Your Address	City County	Your Email Address
6.	Please sign as registered to vote	Your Address	City County	Your Email Address
7.	Please sign as registered to vote	Your Address	City County	Your Email Address
8.	Please sign as registered to vote	Your Address	City County	Your Email Address
9.	Please sign as registered to vote	Your Address	City County	Your Email Address
10.	Please sign as registered to vote	Your Address	City County	Your Email Address
11.	Please sign as registered to vote	Your Address	City County	Your Email Address
12.	Please sign as registered to vote	Your Address	City County	Your Email Address
13.	Please sign as registered to vote	Your Address	City County	Your Email Address
14.	Please sign as registered to vote	Your Address	City County	Your Email Address
15.	Please sign as registered to vote	Your Address	City County	Your Email Address
16.	Please sign as registered to vote	Your Address	City County	Your Email Address
17.	Please sign as registered to vote	Your Address	City County	Your Email Address
18.	Please sign as registered to vote	Your Address	City County	Your Email Address
19.	Please sign as registered to vote	Your Address	City County	Your Email Address
20.	Please sign as registered to vote	Your Address	City County	Your Email Address

Mail to: Protect Marriage WA • Mailing Deadline: July 22nd

P.O. Box 501, Arlington, WA 98223 (425) 451-7753 www.ProtectMarriageWA.com E-mail: R71@ProtectMarriageWA.com

[illegible][illegible]

ADDITIONAL Sec. 91. A new section is added to chapter 41.20 ACW as read in context.

NEW SECTION. Sec. 91. For example, the terms spouse, carriage, motor, facilities, well, refuse, animal, trust of life, and family shall be interpreted as applying solely to state regulated domestic partnerships or individuals in state regulated domestic partnerships as well as to their corresponding and related partners, and references to child(ren) shall apply solely to child(ren) of domestic partnerships that have been legally recognized, married, or betrothed, in the event that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state

NEW REVISIONS, Sec. 52. A new section is added to chapter 41.34 RCW to read as follows:

For the purposes of the chapter, the terms spouse, earnings, marital, husband, wife, widow, widower, man of law, and family shall be construed to mean and include only the legal husband and wife or individual in a state registered domestic partnership as well as to marital relationships authorized parents, and references to dissolution of marriage shall apply only to state registered domestic partnerships that have been terminated, dissolved, or terminated, in the extent that such interpretation does not conflict with federal law. Where necessary, the terms husband and wife shall be construed to mean husband and wife used in any federal law, or, if other law shall be construed to be gender neutral, and applicable to individuals in state

HOW SECTION 32.55. A new section is added to chapter 41.25, RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital interest, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to both registered domestic partnerships or individuals in state registered domestic partnerships as well as to spouses, widows, widowers, next of kin, and families. The terms of chapters 41.25 through 41.30 shall apply equally to both registered domestic partnerships that have been contracted, contracted, or prohibited, to the extent that such interpretation does not conflict with Federal law. Where necessary to implement this act, gender-specific terms such as husband, wife, widow, widower, next of kin, and family shall be construed to be gender neutral, and applicable to both men and women.

NEW SECTION. Sec. 94. A new section is added to chapter 41.26 RCW to read as follows:

For the purposes of this chapter, the terms spouse, husband, married, wife, partner, partner-in-law, addition, removal, and civil and family law are interpreted to apply equally to civil registered domestic partnerships or individuals in civil registered domestic partnerships, as well as to civil marriages and common-law partners, and instruments in violation of marriage that apply equally to civil registered domestic partnerships and civil marriages. The purpose of this section is to ensure that the law that governs civil registered domestic partnerships is the same as the law that governs civil marriages. It is the intent of this section that such interpretation does not conflict with federal law. Where necessary to implement this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be

concerned in the gender linkage, and appropriate to individuals in cases registered domestic partnerships.

REVISIONS: Sec. 50. A new section is added to chapter 41.32 RCW to read as follows:

For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, or family shall be interpreted to include registered domestic partnerships, whether or not the partnership is a civil union, or whether in such registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to dissolution domestic partnerships and shall mean termination of domestic partnership.

Such provisions shall not be construed to prohibit or restrict the conduct with regard to life, where necessary to implement this act, gender-specific laws such as husband and wife used in any statute, rule, or other law that be

[illegible][illegible]

REVISED, Sec. 66. A new section is added to chapter 41, Part 6, and is read as follows:

For the purpose of this chapter, the terms spouse, marriage, married, husband, wife, widow, widower, survivor's, and family shall be interpreted as including only a fully registered domestic partnership or a husband or wife in a state registered domestic partnership as well as an unregistered domestic partnership and marriage, and references to dissolution of marriage shall apply equally to state registered domestic partnerships and marriages. This section shall not be construed to the extent that such interpretation does not conflict with federal law. Where necessary to distinguish this act, gender-specific terms such as

PROPOSED SECTION 414(b). A new section is added to chapter 414 of the Internal Revenue Code, to read:

For the purposes of this chapter, the terms spouse, partner, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to individuals in common-law marriages. The term family shall be interpreted as including all persons who are related to the taxpayer by blood or marriage and apply equally to state registered domestic partnerships as well as to individuals in common-law marriages. The term spouse and the term partner have been substituted, respectively, for husband, in the extent that such substitutions do not conflict with Federal law. The term common-law marriage shall be interpreted to mean a common-law marriage as defined and well used in any state, city, or other law that is construed to be gender neutral, and applicable to individuals in state registered domestic partnerships.

Q "These level of conditional services" means the structure level

(1) "Security" means the employment of conditions to be observed by inmates to provide for the protection and controlling of prisoners.
 (2) "Security facility" has the same meaning as that provided in RCW 9A.04.010 and also includes maximum, minimum and security supervision as defined in RCW 9A.04.010.
 (3) "Security officer" means any officer or constabulary the essential functions of which are not allowed to be, (a) brought into (c) possession while on the grounds of, or (d) sent from any institution under the supervision of the warden.
 (4) "Security" means a custody or restriction of inmates.
 (5) "Department" means the department of corrections.
 (6) "Early release" means inmate release as authorized by RCW 9A.04.010.

(B) "Extensive-family" means a program or practice that has had little or no effect on the estimated life span or reproductive population characteristics but the program or practice is effective in reducing morbidity for the population;

(C) "Extended family" means an individual with income or assets and a member of his or her immediate family that occurs in a private visiting unit located at the correctional facility where the inmate is confined;

(D) "Good conduct" means compliance with department rules and policies;

(E) "Good performance" means successful completion of a program required by the department, including an education, work, or other program;

(F) "Inmate's family" means the inmate's children, grandparents,

(14) "Individual country plan" means the plan to prepare an effective response to the emergency. It should be developed collaboratively between the department and the director and based on an assessment of the disaster using a standardized and comprehensive tool to identify the director's risks and needs. The individual country plan should address the actions that should occur to prepare leaders, officers for release

[illegible][illegible]

(20) "Superintendent" means the superintendent of a commercial entity under the jurisdiction of the Washington state department of commerce, or his or her designee.

(21) "Trade competitor" means any firm possessing advantages that a business may acquire as a result of technological advances contained within labor costs, raw materials, energy rates, taxes, access, electricity, and demand, and other such factors.

To describe our competitive advantages, the commercial industries board staff review and quantify any measures taken by operating a for-profit business to obtain a patent, (22) "functional transfer" or "nonfunctional transfer" means "technical assistance" as defined in RCW 76A.08.010.

(23) "Nonprofit business" means a business conducted primarily for the benefit of its members or stockholders or for the promotion of their interests.

Sec. 198, RCW 72.08.712 and 2008 c 229 s 27 are each accorded to read as follows:

(1) At the earliest possible date, and in no event later than thirty days before notice is given to the owner of a storage or emergency lot, notice as defined in RCW 72.08.010, the department of corrections shall send written notice of parole, revocation, community custody, work release placement, halfway, or probation along a specific inmate address and of a virtual release, a non-release as defined by RCW 72.08.010, or a parole placement release as defined by RCW 72.08.010, to the inmate, to the family, or to the parole officer.

(2) The date of parole or the date of a virtual release shall be made available to the public on the day, being a date that the inmate will receive a written notice of parole or a virtual release.

C) The sheriff of the county in which the inmate will reside or to which placement will be made in a work release program.
The sheriff of the county where the offender was convicted shall be notified if the department does not know where the offender will reside.
The department shall notify the state police of the release of all tax

(2) The same notice as required by subsection (1) of this section shall be sent to the following if each notice has been requested in writing about a specific inmate numbered on a visited inmate, a sex offender as defined by RCW 9A.04.010, or a felony repeat-offense inmate as defined by RCW 9A.04.010 or 9A.04.015:

- (a) The victim of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide;
- (b) Any witnesses who testified against the inmate in any court

personnel involved in selling the processing attorney, and
 (4) Any person who requests such notice shall be a specific licensee
 consisting of a user license as defined by NCPR §24.04030 in the
 department of corrections at least fifty days prior to the expiration
 of the license. The notice shall be in writing, signed by the user, and
 in, or witnesses regarding the notice, including the date and time,
 other person assisting in selling by the processing attorney to receive
 the notice, and the notice are confidential and shall not be made
 to the public. Whenever the department of corrections takes notice
 pursuant to this subsection and the notice is returned as undeliverable,
 the department shall attempt alternative methods of notification.
 (b) Any telephone calls the person's last known telephone number,
 shall be a telephone call to the person's last known telephone number.

[illegible]

(c) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the victim's name shall be written in such manner as to protect the identity of the child.

(d) The Department of Corrections shall send the victim required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(e) The Department of corrections shall have, for a minimum of two years, a complete history of all arrests.

(f) A document used by the Department of Corrections to grant that person is restricted to the victim or witness notification program, and:

(A) cannot identify that an individual mentioned in the statute or

(c) "Violent offenses" means a violation of laws under RCW 9A.08.020; or

By making in the section that imposes any liability upon a chief of police of a city or chief of a county for failing to request in writing a notice as provided in subsection 50-1-10, within the section.

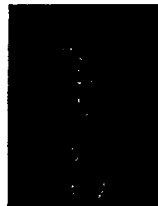
Source: <http://www.fishbase.org>

Preserve Marriage, Protect Children **R-71**



"A domestic partnership diverts rights and resources from a family to an unrelated adult. These include benefits for dependent children, end of life decisions by older children for elderly parents, and inheritance rights of all surviving family members, just to name a few. The homosexual community emphasizes the fact that they have biological children, yet no child is ever produced by a same sex relationship. There is always an opposite sex partner involved and they can lose their rights as well. Please support genuine marriage and sign R-71!"

- Senator Dan Swecker



"At the founding of our country we made the conscious decision to promote marriage between one man and one woman above all other legal unions because of its inherent value to children and society. Signing R-71 will help us preserve that decision for another generation."

-State Representative Matt Shea



"In 2006 the Washington State Supreme Court upheld the legislature's right to ban same sex marriages. The passage of Senate Bill 5688 this year makes same-sex Domestic Partnerships equal to genuine marriage in every practical way. Its passage has essentially overturned our Defense of Marriage Act (DOMA) and thus diminishes the value of traditional marriage between one man and one woman. I urge you to sign R-71 and help us roll back this effort to undermine marriage in Washington State!"

-Senator Val Stevens



"SB 5688 was packaged and presented to the legislature as a Domestic Partnerships expansion of benefits. In truth, it will demolish the state's historical understanding and definition of marriage as Washington will immediately become subject to litigation by same-sex partners demanding the courts overturn our state's Defense of Marriage Act and impose 'same-sex marriage' (as happened recently in California prior to Proposition 8). By signing Referendum 71, we will bring this society changing measure before the people of Washington State and let them make this monumental decision in November."

-Larry Stickney, President, Washington Values Alliance

"Please Defend Marriage By Signing This Petition. SB 5688 was presented as a bill about benefits, yet a day after it was passed, those who sponsored the bill told the Seattle press that it was really part of a long term strategy to re-define marriage and legalize same-sex 'marriage'. The Seattle Times editorial board agreed and said homosexuals should also be given the name 'marriage' as a result of the passage of SB 5688. SB 5688 is the final step. If this bill is allowed to become law, partnerships will be elevated to the level of marriage with no legal difference. The Washington State Defense of Marriage Act (DOMA) will be declared irrelevant and same-sex 'marriage' will be imposed on Washington State through the courts."

"SB 5688 is an attempt to deconstruct marriage as it has existed throughout all human history. This unique and exceptional relationship that connects a man and a woman to a child, genetically, is the cornerstone of every successful society in human history and is the master plan of the Creator. There is no other relationship that meets this criteria for marriage. Only natural marriage provides generational sustainability. Please defend marriage by signing the R-71 petition."

-Gary Randall, President Faith and Freedom Network and Foundation



"Those who think they can sit this battle out because they believe their values and their children will be safe in a private school or homeschool, need to think again. If the homosexual extremists are allowed to continue down this path, under expanded civil rights and hate crime laws, it will soon be illegal to speak out against homosexual marriage or the dangerous homosexual lifestyle. Please protect the time-honored tradition of ancient and modern society - one man, one woman in marriage. Protect the rights of children to have a mother and a father. Please do not hesitate to sign the R-71 petition."

-Pastor Ken Hutchinson, Antioch Bible Church

"Please sign R-71 right away. SB 5688 is bad legislation for marriage, children, the public schools and the economy. It's a back-door way of legislating homosexual marriage without the name-which will be next. That step would legitimize immoral behavior- forcing many families and their children to leave the public schools, and costing the state millions of dollars on a crazy social experiment. People are free to live with anybody they want-but they don't have the right to change the bedrock of society-marriage-between a man and woman, producing, protecting, and nurturing children. We need to honor and strengthen marriage-not re-define it."

-Ron Boehme, US Renewal

Before you mail in your petition, make sure to print and sign your name here.

Thanks!

PRINT FIRST NAME: _____ PRINT LAST NAME: _____

I hereby certify under penalty of perjury that I have read the text of the foregoing petition, and that to the best of my knowledge and belief the petition is true and correct. I understand that the petition is being submitted to the Washington State Legislature and that it may be subject to public review. I understand that the petition is being submitted to the Washington State Legislature and that it may be subject to public review. I understand that the petition is being submitted to the Washington State Legislature and that it may be subject to public review.

Signature: _____

Please mail signed petitions to:

Protect Marriage WA

P.O. Box 501, Arlington, WA 98223 (425) 451-7753

www.ProtectMarriageWA.com E-mail: R71@ProtectMarriageWA.com

Mailing Deadline: July 22nd

Paid for by Protect Marriage WA P.O. Box 501, Arlington, WA 98223

EXHIBIT E

From: Blinn, Katie [kblinn@secstate.wa.gov]
Sent: Wednesday, August 19, 2009 2:31 PM
To: Hamilton, Kevin J. (Perkins Coie); David Ward; lstickney@valuesaction.org
Cc: Hamlin, Shane; Handy, Nick; Pharris, James; Even, Jeff
Subject: Signature Declaration Statistics
Attachments: Signature Gatherer Declaration Stats.pdf

Kevin, David and Larry,

Per Kevin and David's public records request, the signature gatherer declarations appearing on the back of the R-71 petitions have been reviewed. The versions reviewed were the images taken before the signature check began. Per the public records request, we noted whether the declaration was signed, how it was signed, and the number of petition sheets and signatures. The results of this review are attached.

If you have any questions, please feel free to contact me.

Have a good day.

Katie Blinn
Assistant Director of Elections
Office of the Secretary of State
(360) 902-4168
kblinn@secstate.wa.gov

8/26/2009

R-71 Signature Declaration Statistics

	Larry Stickney Stamp	Name Printed, but No Signature	No Name, but Signature	No Name & No Signature	Other Name Stamped	No Declaration	Totals for All Categories	Box #	Image #
Total Signatures	33,966	130	0	2,058	0	0	36,154		
Total Petition Sheets	2,508	10	0	162	0	0	2,680		
	16			16				b1	i30
	8							b1	i58
	8							b1	i126
	8							b1	i128
	8							b1	i142
	8							b1	i152
	8							b1	i160
	8							b1	i162
	8							b1	i168
	8							b1	i170
	8							b1	i174
	8							b1	i178
	8			8				b1	i180
	8							b1	i186
	8							b1	i188
	8							b1	i190
	8							b1	i192
	8							b1	i200
	8							b1	i202
	8							b1	i206
	4							b1	i208
	4							b1	i210
	4							b1	i212
	4							b1	i214
	4							b1	i216
	4							b1	i218

EXHIBIT F

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Preserving Marriage, Protecting Ch

An Open Letter to Friends of Referendum 71

From Larry Stickney and Gary Randall

Thank you to the many thousands of you who have responded to our plea to contact Secretary of State Sam Reed's office. While that office has made a furious defense of their R-71 signature counting process since we continue to see a lot of unaddressed problems as the numbers continue to move in the wrong direction for R-71.

Even left-wing blogger/demographer Daryl Holman of Horsesass.org has expressed curiosity and surprise some of the statistical abnormalities of the count in recent days. As Daryl notes in his Wednesday article "Fortunes for R-71?", "This could, conceivably, reflect reduced effort by signature checkers to find the signer on voter rolls." In Thursday's article, he wrote the following: "in the last several days, there appears to be an unexplained, systematic increase in the rate at which signers are not found in the voting rolls."

Those of you who e-mailed Sam Reed may have received a response from Sam's executive secretary, Ms. Ingrid Pharris. She is, interestingly, the daughter of James Pharris, the attorney from the state AG's office assigned to defend the right of the militant homosexual organization (WhoSigned.org) to post the names and addresses of R-71 supporters on the internet so other militant homosexuals can harass them. Ingrid's letter was sent to a you that the Secretary of State is going out of his way to make sure that the referendum count is being carried out in "a fair, transparent manner".

Here is an example of one of the statistical aberrations that has many of us scratching our heads: Of the 72,273 (Wednesday's count) signatures tallied, only 9.5% were rejected because petition signers' names were not found on the voter data base. Of the last 6,922 signatures counted the percentage jumps dramatically to 25% not found!

Meanwhile, the Secretary of State continues to tell us that the increase in rejection numbers are due to the increase in duplicates found. However, the increase in duplicate signatures has only increased by 0.52% the last week whereas our rejection rate has increased by 1.29% during this same time period.

8996 names were counted today, which easily surpasses the normal rate of 7500 or so by about 20%, yet Secretary of State assures us that they "did not decide to speed up the process".

To put it bluntly, the "spin" we are hearing from the Secretary of State's office is deception pure and simple. Larry was personally assured just last week after a meeting with Secretary of State official, Shane Hamlin they would not deploy more than 4 master checkers at a time. This is an important consideration because allowed only three observers on the floor at a time. When you have more than four master checkers at once the observation team of 3 simply cannot keep up with what is happening. We are now told that for most of the week, they have been using 6 to 8 master checkers at a time. No phone call or explanation came our way from the Secretary of State, just more frustrated messages from our observation team, wondering how in the world these folks get away with this.

Incompetence or skullduggery?

One issue the Secretary of State's communications team has not been anxious to write about in detail, is that they began the count utilizing an outdated voter data base. The effect? New voters who registered between July 1 and July 25 didn't show up. Protect Marriage Washington had sent out several thousand voter registration forms along with the R-71 petitions and signed up many new voters that were not picked up by the initial checks. The story you haven't heard: The problem was discovered when one of our observers saw one of the R-71 petitions that just happened to be the one several of Larry's family members signed. When our eagle-eyed observer contacted Larry and told him that his daughter's signature was rejected, Larry and wife Polly remembered that their daughter had registered to vote in July and that she had her voter registration card to prove it. Larry brought this up to Shane Hamlin and was told that he would look into the matter. Shane then reported back to Larry several days later that he had "discovered" the older voter database was still being used and that the Secretary of State would be looking into ways to change over to the new one.

Fortunately, this has been a blessing in disguise as all of the invalidated signatures must be run through a third check against the updated data base and we stand to pick up a large number of signers not validated. Unfortunately, the Secretary of State decided to limit the third check to a quick check as opposed to the standard in-depth search utilized when counting other signatures. We believe that many signatures will be discovered on this third check, but even more would be found by employing the standard check process. **Why the quick check, Sam?**

Our concerns are based not only on provable numerical abnormalities, but by those raised by members of the Protect Marriage Washington observation team, who are working tirelessly for the cause on the front lines of the R-71 battlefield in Olympia.

Please take the time to review some of their comments at the end of this letter. Their eyewitness account of the hasty signature checking process and the negligent, uninspired, and shoddy work of some of the checkers is a reoccurring theme and in complete contrast to the rosy picture painted of the counting operation by Mr. Pharris and the Secretary of State's spin doctors.

Sincerely,

Larry Stickney, Protect Marriage Washington
Gary Randall, Faith & Freedom Network

"I have seen firsthand how thorough investigating finds many valid signatures that are being ignored because of the rushing. Most of the checkers are college kids; I have seen the same kids spend 2 minutes investigating a signature, finding and validating it; and after they come back from a break complete with a supervisor pep talk resume their job spending less than 30 seconds - and rejecting the signatures. It is very frustrating. If they are encouraged to take their time and investigate, they find 90% of the signatures to be valid. When they are encouraged to rush because of a deadline, they only do a cursory look and then reject them. The bias is in the room. They are now spacing the master checkers further away from each other so that we cannot verify them. Please call the number listed below and insist that they slow down and do a thorough investigation of signatures. Then pray. Thanks!"-- K.M.

"On 8/18/2009 I have volunteered to work as an observer for the R-71 signature verification. I immigrated to the US from Ukraine in 1998 being 20 years old at the time, so I am fully aware of the culture and how names of Russian origin are spelled out and translated into English. As I was watching one of the workers on the 3rd final pass took notes for any mistakes in the process. I have noticed at least three cases when names of the people of Russian/Ukrainian (Slavic) origin were wrongly rejected. On one instance, the first letter of the last name was incorrectly read resulting in no database findings; I could see it from the Russian signature that the first letter was misunderstood. On the second instance, the Russian signature was only a half comparing to that of the database with the identical handwriting, the address was different though and as a result, another name got rejected. On the third instance, the name was found in the database, but the handwriting was different. Now, we have to remember that Slavic people who got used to write their signature in Russian a certain way for many years. They change their handwriting in English because not all of them really know English, so, being afraid to make a mistake, they spell out every letter resulting in a handwriting difference. Another point I want to make is that signatures in Russian don't have to include both first name and the last, it could be the first letter of the first name together with the full or partial last name, or simply the full or partial last name alone. And the last thing I want to say is that, unlike American names which could be more than a few of the same in the database, when you come upon a Russian name, it is very likely that that is the very person who wrote it down, and there is no other person with the same first and last names in the state of Washington. So even if the handwriting doesn't completely match, it would still be that same person."--A.S.

"It is interesting that 'their' search page is set to 25 results per page which is an ARBITRARY number. Example: Say John Smith is being searched for his signature. He registered in say King County...then relocated to Spokane...there OBVIOUSLY is going to be MORE THAN 2 PAGES at 25 per page; therefore, JOHN SMITH would NOT be found in King Countyif he moved to SPOKANE...and although .

registered voter...by this policy set today...his registration would NOT BE FOUND..Hence, this new "policy" appears.... (deliberately or mistakenly)....to lead to missed and/or INACCURATE search results."--V.H.

"Thank you for giving me the opportunity to help you last night. I wanted to give you my opinion and great about the different checkers I watched last night. L.N searched very well, using just 1 letter of the name or number of the street address and tries lots of combinations. I thought she is a good Master Checker. P.T is quick with the computer, but was the most thorough Master Checker I watched. He tried over and over again, probably 12-15 times to find a name. He took into account changes in signatures over the years. I liked him too. I began watching M. at 8:58 and was VERY concerned with her searching. She should NOT be considered a Master Checker. After watching her do 7 searches in about 10-15 minutes, I was so shocked I started documenting exactly what she was doing. She may have been tired because it was so late, but I really think more to do with needing knowledge of searching a database. Her first search was always a full, first and last name search with her best guess as to the spelling. Then she would try the whole address alone. Twice I got 8 and 9 exact name matches but she didn't check but 2 of them for signature matches. It seemed she was looking for the names to match the address. I jotted these thoughts down on my paper. Not thorough, very slow, does not search by initials, fast, not enough combinations, usually full name searches (first and last only) tries once or twice on some, always used full name (all letters) except where noted in my notes. Although I think she is trying her best, she is a great concern to me. If I was to talk to her supervisor, I would say I do not think she understands how to search a database, because she is using all of the letters of first and last names, as she seems to be looking to match the name to an address. We will be contacting the men coming up tonight to bring these papers up to you. Thank you."--S.K.

While observing the signature verification process last evening, I observed 2 noteworthy problems.

- 1) In two instances there were problems with the scanned images in the state's database. In the first instance the voters data was a match - his name, address, etc... However, the scanned signature was for that of a woman with a completely different name (wrong signature scanned in).
- 2) The voters signature card was placed too low on the scanner so that only the top tips of the letters were not sufficient to confirm the signature. Otherwise, all of this voters data was a match.

In perhaps 4 - 5 other instances, I felt that there was a sufficient match to confirm the signatures, but they were rejected. Most often there were people of the same last name at the same address, but not the voter (signature in question). In looking at the date of registration on the bottom right of the screen, I could see that they were relatively new voters (registered within the last 3 years).

I also observed a couple of other rejections of signatures also of relatively new voters of which I felt there were adequate grounds for acceptance - unique or distinguishing attributes in the formation of certain letters. In these cases, all of the voters data matched and the signatures were rejected. It is likely that from ages 18 to 25, a person's signature will change somewhat as they have to sign an increasing amount of documentation after entering the workforce and (presumptuously) independent living. They might consider age when confirming signatures if all other data is a match.--J.M.

Here are my thoughts and observations from Aug. 19, 2009 session, approx. 7 p.m. through 9:53 p.m. I was observing master checker P. the whole time. On the whole I am favorably impressed with this checker. He both single and multiple database entry points and gives very conscientious scrutiny to all questionable signatures, following all the election divisions guidelines for comparison. Nonetheless, I sensed that fatigue this day's session might have lessened his performance somewhat.

Notes on Red marks upheld:

1. On Vol. 224, Page 7, Line 13, female name: There was a male of the family name at the address giver. It was possible that the petition signer was newly married and newly living at that address. A search made by first name, but checker decided there were too many entries of that name to search for signature. When a search was made just by family name, I saw a middle name of the same initial as the first name but far too fast to see anything else, and no stop was made to check the signature with that registration. He went so fast, he must have been looking for only one other factor, perhaps just the first name itself. (I believe the middle initial possibility should have been checked because when signer married, perhaps she stopped her given first name as her legal first name and started using her middle name as her legal first name, the thing that I understand my own mother did.)
2. Vol. 224, Page 5, Line 10: Checker tried only one interpretation of the street number, whereas I consider there were grounds for two interpretations. The use of only this number in conjunction with other data points means that the other possibilities using the other possible number were excluded.
3. Vol. 216, Page 15, Line 15: The petition signer's first name was different from the printed name shown on registration, but it appeared to me that the signature on the registration was indeed the name signed on the petition. I suspect that an error was made in entering the man's first name into the database somewhere along the line, and this signature should not be excluded.

Other notes: Vol. 224, Page 3, Line 7 (kept green): While the petition signature does not look much like the signature on the registration, the printing of the name on the petition looks very much like the signature on the registration, suggesting that this person's signature has simply undergone considerable change since his registration.

I hope these notes are clear. Yours in Christ,

--J.B.

These are my observations from the morning shift on August 13, 2009.

I observed master checker Z. checking Volume 227 and did not observe anything unusual. Most of them I confirmed as rejected and reversed only a few. Page 15 included many Russian names, and of 7 initially I only one was reversed and accepted.

I also watched master checker M. as he worked on Volume 228. On page 9 he rejected line 16, which looked like a match. His numbering on page 13 was different than the actual petition; his line 20 was the petition line 19.

They both finished their volumes about the same time (around 9 a.m.); M. took a personal break, and when he returned he was doing initial checking. Z. began master checking Volume 229. On page 2, line 5, he rejected a signature, which looked to me as though it matched. On page 10 he accepted a previously rejected line 2 consulting with M.; the non-sponsor observer took lots of notes when this happened. At about this point T. she needed 2 guys; she chose Z. and C. Z. went over to her to see what she needed, and she told him to go back and finish his volume first. He started working faster so he could finish up. Page 13, line 20 appeared to be a match but was rejected. A lot of the names on page 13 were Russian. He especially rushed on page 13 taking 20-30 seconds to check line 2 before he rejected it.

I walked around to find another master checker to observe. I watched N. for a few minutes while T. gave instructions to Z. and C., which I did not hear. Z. then took a computer station next to C., so I went over there to observe. They both had volumes that already had 2 signatures next to each rejected line. I tried for a few minutes to figure out what they were doing, unsuccessfully, then went to the break table to get my sweater. I mentioned to V., who was working at the break table, that they were doing some sort of triple check, and I went back to my observations. The non-sponsoring observer was standing between the 2 checkers, clearly crowding them and leaning in, and obstructing my view. I tried moving around to get a better view, but through my glimpses I could not figure out what they were doing; the screen didn't match any of the rejected names, and I couldn't get close enough to observe any closer. This took place about 10 minutes prior to the lunch break.--B.C.

My experience today was primarily with two checkers who were doing the second check on initiative signatures. One of them was considerably faster than the other which led me to question why. Was the reason for fast speed due to knowledge and skill or was it due to negligence. The appearance of things was that the quicker man did not employ as many means for finding a signature and also did not spend as much time studying signatures he found for similarities. Should you have any further questions please let me know.--D.C.

When I observed M., I noticed some things he did differently than some of the other master checkers. One example is he would put his hand over the signature lines to make it harder for me to see the signature line numbers. I don't know that he was doing it on purpose, but it seemed strange.

He also would not search in a consistent pattern as I saw some of the other checkers do. He seemed to search thoroughly on some, and others go fast through the checking. He also seemed to have more acceptance of rejects than some of the other checks like D. or N. I also saw him search for names that would bring back huge results, then just use his down key to scroll through the records, but not stop long enough to analyze. It seemed like he was trying to fill time. He would also stop and look at something for awhile, that was not even close to a match. These are just presumptions I made as observing. When I observed M., I noticed some things he did differently than some of the other master checkers. One for example is he would put his hand over the signature lines to make it harder for me to see the signature line numbers. I don't know that he was doing it on purpose, but it seemed strange. He also would not search in a consistent pattern as I saw some of the other checkers do. He seemed to search thoroughly on some, and others go fast through the checking. He also seemed to have more acceptance of rejects than some of the other checks like D. or N. I also saw him search for names that would bring back huge results, then just use his down key to scroll through the records, but not stop long enough to analyze. It seemed like he was trying to fill time. He would also stop and look at something for awhile, that was not even close to a match.

not even close to a match. These are just presumptions I made as observing.—J.

1. The average check is NOT 3 minutes but 1.5 to 2 minutes that includes MORE than just the Russian a Asian names.

2. Some of the newly hired checkers from last weeks hiring trained only ONE HOUR (we were present for orientation and training!) are now being used as MASTER CHECKERS.

3. The ...seasoned...regular....on call college age checkers are allowed to listen IPOD's that have been loud enough that I can hear it while standing next to a checker...and I have a partial loss in my right ear! i going on while they are checking signatures. This is NOT democracy in action.

4. Last week an observer reported to P. and I that he witnessed and documented a female checker "singi loud with her IPOD on unaware she was disturbing the other checkers. TWICE she was told by the other checkers to stop singing. The Supervisors have done NOTHING about this....INCLUDING Ms. K. B. who SCOFFED at this when we tried to raise this serious concern of accuracy!

5. "K" a master checker (I personally documented racing through master checks was rocking and bouncin one knee, tapping his pencil on the desk with his right hand while listening to his IPOD spent an average : minutes or less on his master check. All his average 1 - 2 minute checks were REJECTED.

As of yesterday, S. (Director) has not upheld his promise to keep the Master Checkers to a minimum of 4 together."

When asked by me personally on Monday that the Master Checkers are not sitting together...Shane replie relaxed this with Teresa last Friday and as a matter of FACT I am going to be INCREASING the master cl this week. He has....

Personal documentation from Pastor R this am:

8:10 - 4 MASTER CHECKERS

9:15 - 5 MASTER CHECKERS

10:53 - 6 MASTER CHECKERS

"MASTER CHECKERS ALL SPREAD OUT - 2 ARE DIAGONAL FROM EACH OTHER, OTHERS SPRE OUT. VERY DIFFICULT FOR OUR OBSERVER'S TO KEEP UP WITH AND WATCH."

Secretary of State's office did not keep their word to accomodate our observers

1. S. did NOT inform us he had "relaxed" this [policy] with T.!
2. The Master checkers are scattered all over...sitting where they choose,
3. And, the Master checkers as of Monday has INCREASED to SIX - AGAIN.

—V.H.

Next >

EXHIBIT G

Procedures for the Recent Registration Check (Aug 17, 2009)

Policy:

- Only permanent OSOS staff participate in the Recent Registration check.
- Check only those petition lines that have been initialed in red as "not found."

~~✱~~ The registration date of a voter registration record is not a basis for rejecting a petition signature.

Conducting the Search using "Search Voters" in the VRDB.

- Ignore middle names or initials provided by the signer when entering the search.
- Do not attempt to use the address or city fields of the "Search Voters" module.
- ~~- Assume that the order of printed and signed names on the petition is "first name on the left, then last name on the right." Do not try searching on a reversal of the names on the petition.~~
- Start with the county parameter set to "All Counties." If you try name variations but cannot get the search results to 1 or 2 pages only, set the county parameter to the county provided by the signer on the petition.

Examining the Search Results.

- If the signer provided a middle name or initial, ignore any search results where the middle name or initial is different. Check the signatures of all remaining Active and Inactive records.

Recording Findings.

- If the VRDB search confirms that the signer is not a registered voter, write your initials in red pencil to the left of the other initials for that line.
- If the signer is registered and the signatures match, write your initials in normal lead pencil to the left of the other initials for that line, print the "Voter Details" page, write the Vol-Sheet-Line # on the "Voter Details" printout, then place the "Voter Details" printout face down.

On Completion of a Volume or Shift.

- Return Volume to box in main checking room. Place the "Voter Details" printouts for the volume in the box labeled "Voter Details" on Dave's desk.

(Recordkeeping: the Vol-Sheet-Line #s and State Voter ID #s will be recorded from each "Voter Details" page. Duplicates will be identified by a comparison of State Voter ID #s. Any duplicates identified will be annotated as such on the corresponding line on the petition sheet in the applicable volume. The numbers of signatures accepted and rejected will be corrected on the volume cover sheet. "Voter Details" sheets will not be attached to the volume. Any observer may request at any time a printed list of the Vol-Sheet-Line #s of signers identified as voters by the recent registration check.)

#

EXHIBIT H

SEARCH BLOG

FLAG BLOG

Next Blog»

[Create Blog](#) | [Sign In](#)

Faith & Freedom

POLITICAL ACTION COMMITTEE

www.faithandfreedom.us/pac.html

Monday, June 29, 2009

Share Your R-71 Experiences!

We are receiving some very good reports from people who are gathering signatures. If you have had a good experience, please share it with us so we can pass it on to others who are in the trenches.

We received the following message:

"From Whidbey Island...The first three pastors I approached...said, "yes, we will stand on the Truth" (E.V.Free3, Coupeville Community Bible, and Living Hope,Foursquare) I actually attended Living Hope last week and you had to stand in line to get out of the church because the sign up table was at the door.As to the first comment above,,,anyone wanting to sign a petition...find a Godly church!"

To share your story, click the "comments" at the bottom of this post.

Posted by Gary Randall at 9:45 AM 7 comments

Thursday, June 25, 2009

R-71 ALERT

Please note that some petition signature pages are being sent in separated from the entire petition. They will not be accepted by the state. While we have only received 5 or 6 of these petitions, we wanted to alert you. Please send back the entire petition, with the signature page attached.

We continue to get encouraging reports from all across the state.

I have personally heard from several churches who had originally been convinced not to participate in the Referendum, but now have become fully involved with promoting signature gathering.

Thank you to all who are working so hard on this effort.

Donations are needed.

Posted by Gary Randall at 4:30 AM 3 comments

Wednesday, June 24, 2009

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DVD Released



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R-71: Lawmakers Encourage Christian Participation! from Protect Marriage Washington on Vimeo.

Posted by Gary Randall at 10:47 AM 0 comments

Friday, June 19, 2009

R-71 DVD Available Next Week

R-71 UPDATE: Thank you for the encouraging reports we are receiving from so many of you who are circulating petitions. From your reports, it appears that things are going very well, in spite of some opposition.

A 3 to 4 minute DVD will be available next week with a message from Representative Matt Shea and Senator Val Stevens regarding the importance of signing Referendum 71. It can be shown in a church service or to small group meetings. We will also post it on this web site.

Thank you for your support of this effort.

Posted by Gary Randall at 8:24 AM

Friday, June 12, 2009

Next Step on R-71

Nearly 60,000 petitions have been either hand-delivered or mailed this week. More are available as needed. If you need more, please contact us.

Remember: when you receive your petition and sign your name, even if it is only your name, be sure and sign the back of the petitions as well as the signature line on the front. Be sure to use the address at which you are registered to vote.

Sen. Dan Swecker is leading the Faith & Freedom PAC effort to put out a large mailing to the State. He has access to over 50,000 homes that are known to be social conservatives. We want mail a petition to every home on that list.

We need a minimum of \$10,000 to begin this project. Obviously it is time-sensitive. Some of you may be in a position to help with a substantial donation toward this effort or may know someone who could underwrite or substantially underwrite the effort. Please contact Senator Dan Swecker at info@faithandfreedom.us.

Whatever you can contribute to the Faith & Freedom PAC will help as we launch this next step. [Click here to make an online donation](#)

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to the PAC.

Posted by Gary Randall at 9:46 AM

Monday, June 8, 2009

30,000 Petitions Delivered this Weekend!

30,000 petitions were distributed this weekend all across the state by Larry Stickney, myself, Faith and Freedom board members and an army of volunteers who share the urgency of this issue.

30,000 more petitions are being printed today. Each petition form has 20 signature lines.

We will continue personally delivering the larger quantities while requests of 20 or less are being mailed out this week.

This process, as you can imagine, is labor intensive and costs money. Faith and Freedom PAC is spending the entire amount of every donation we receive on two things: printing, mailing, distributing and gathering petitions for Referendum 71 and promoting R-71 petitions on the Internet. Your donations are urgently needed for these purposes. Thank you.

Posted by Gary Randall at 9:06 AM

Sunday, June 7, 2009

FAQ's for Petition Signature Gathering

Many of you have asked for specific requirements on signature gathering for Referendum 71. These rules have been taken from the Washington State Secretary of State website. For more in depth information regarding gathering signatures in public, commercial locations; please [click here](#).

How to Get Petitions:

Contact Faith & Freedom by email; info@faithandfreedom.us or rick@faithandfreedom.us, or fill out an online form by [clicking here](#).

Can I Get a PDF File and Make My Own Copies?:

We know this is often done with petitions, and it would be great, however due to the size and layout of this particular petition, we have been strongly advised not to do that. When you see a petition, you will understand. If signatures are presented on a petition form that does not completely comply with the state regs, it will be thrown out and may cause other signatures to be compromised or thrown out.

Circulation of Petitions:

Any person soliciting signatures should be fully aware of the following rules:

- Only legally registered Washington voters may sign a petition.
- Voters should record, on the line with their signatures, the address at which they are registered to vote.
- Voters should print their names in the space provided in order to facilitate the validation of their signature.

All Signature Gatherers must sign the back of their petition form.

Validating petition signatures:

Petitions filed with the Secretary of State will be checked for duplicated signatures and for the signers' status as legal Washington voters. Only one signature per voter will be counted.

What to do with petitions after they are signed:

Contact Faith & Freedom at either info@faithandfreedom.us or rick@faithandfreedom.us. If you have less than 20 petitions, please mail them to:

Faith & Freedom
PO Box 399
Bellevue, WA 98009

If you have more, we will arrange a pick up.

Timeline:

As you know, because the Governor and legislators prolonged the SB5688 bill, we have a very short turn around in order to turn the petitions into the State on time. We need to collect the petitions in our office by mid-July. Notice the clock on this webpage to your right. We will update the exact date later.

Posted by Gary Randall at 2:48 PM

Saturday, June 6, 2009

Petitions Have Been Printed

Petitions for R-71 were printed and picked up Friday evening. We have already begun distribution. We will continue to handle the thousands of requests as quickly as possible. Quantities that can be mailed are being packaged and those that need delivered are being scheduled. If you have not already done so or if you need additional petitions, please fill out a request for petitions [here](#)! If you have trouble with the form, please clear the cookies from your computer and try again.

Posted by Gary Randall at 8:43 AM

Churches and Politics: Freedom

SOURCE: Alliance Defense Fund

Every election season, various groups try to intimidate churches and pastors to be silent on the great social and moral issues of our time. But churches and pastors have a God-given right-protected by our Constitution-to speak to the issues of our day and to be, as Scripture commands, the "salt and light" for our culture.

Recently, we have seen organizations such as Americans United for Separation of Church and State send letters to churches in an apparent effort to suppress the speech of churches and pastors on critical social issues. Churches are implicitly or even directly threatened with the loss of their tax-exempt status if they don't "toe the IRS line" as to permissible speech. Some groups go so far as to file complaints with the IRS, occasionally leading to IRS investigations. The resulting (although very remote) chance that a church could lose its tax-exempt status is used to silence Christians inside their own churches.

Such tactics are not new. For example, in 1996, 1998, and 2000, pro-homosexual activists targeted churches that supported a proposition in California that defined marriage as being between one man and one woman. In one mailing, activists sent out some 80,000 threat¹ letters. Fortunately, those would-be censors failed to suppress Christian speech. The California measure ultimately passed and no church had its tax-exempt status revoked.

Unfortunately, the Internal Revenue Service has muddied the waters by giving unclear guidance and inconsistently enforcing some very vague regulations. ADF believes that some of these IRS actions are unlawful under the First Amendment to the United States Constitution, and² one day will be stricken down in court. Until that day, churches and pastors that prefer to conform to the IRS standards will find ADF's Guidelines for "Political Activity" by Churches and Pastors to be helpful.

Churches and pastors must not allow the tactics of intimidation and intolerance to succeed in silencing their voices on the critical issues of our day. If any government official or private activist group threatens your church for its speech regarding these issues, please contact ADF at 1-800-TELLADF or www.telladf.org immediately. ADF attorneys will promptly review your situation and, if ADF undertakes your case, will defend your church without charge.

By this letter, we assure you that churches and pastors have broad constitutional rights to express their views on social and moral issues, such as marriage, abortion, and homosexual behavior. The guidelines ADF provides will help you and your church stay within the IRS's rules if you so desire.

Sincerely,
Gary S. McCaleb Senior Counsel Alliance Defense Fund

1) See Erik J. Ablin, *The Price of Not Rendering to Caesar: Restrictions on*

Church Participation in Political Campaigns, 13 Notre Dame J. L. Ethics & Pub. Pol'y 541, 557 (1999). 2) Specifically, ADF believes that churches and pastors have the right to speak Biblical truth from the pulpit about candidates for office, even if that means opposing or supporting particular candidates from the pulpit. This was the historical and constitutional norm from the founding of our country until 1954. In 1954 the tax code was amended by a politician intent on silencing a political opponent that happened to be a tax-exempt group. ADF anticipates bringing a federal lawsuit to directly challenge the 1954 amendment and restore full First Amendment rights to churches and pastors. Until then, if your church wishes to remain within current IRS guidance, the enclosed guidelines will help you achieve that goal.

Posted by Gary Randall at 8:40 AM

Friday, June 5, 2009

Status on Referendum 71

I just got off the phone with Larry Stickney and those working with us to get the Referendum 71 petitions to the press. They are in the Secretary of State's office this morning and are receiving final approval on the petition. It will go to print this afternoon.

The process of preparing this petition for print has not been usual or normal and at times very frustrating for all of us, in a number of ways. Perhaps the most challenging is the fact that the bill---SB 5688, must be printed, in its entirety, on the petition. The bill is about 100 pages. We have had experts in these matters working on how to best accomplish this. Several have said that this is the longest bill ever printed on a petition form in the history of the state. I don't know about that, but I am satisfied that those working on it have done an excellent job, received approval from the Secretary of State and finally, it is going to press.

We will post a sample of the petition on our website for you to see, however we have been instructed to not have people download and print because of the size and configuration of the form. Because of its size, it is being printed on a web press. If signatures are turned in on anything other than the approved form, they will be thrown out and may have a negative effect on the overall signature gathering effort.

I and all of us working on this effort are fully aware of the number of days remaining until the names must be turned in to the state. In fact we have posted a real time clock on our website which gives you the days, hours and minutes remaining.

We are aware that there are some who should be on our side, but are not, for whatever reason. And are predicting our failure. We are also aware there are those whom we knew would do all they could to oppose us and they have and are.

Most importantly, we are aware that there are tens of thousands of you who have expressed your support and are standing by---ready to move forward. God bless you. You know this is not primarily a political matter---it is a spiritual matter. It is

not about taking anything away from anyone---it is about defending marriage.

As soon as these petitions are off the press, Larry and I and others will begin distributing them. If you have requested one or multiple copies, and several thousand of you have, we will mail them to you or for those requesting large quantities such as several hundred for distribution in your community and local churches, we will call or email you and see that they are hand delivered.

This referendum effort is moving forward at an enormous cost--both personally and financially.

Personally, those of us who are leading the effort have been attacked and in a couple of cases slandered because of our "message". We will deal with the slander later.

While there are those stepping up to help cover some of the initial printing costs, additional printing, postage and related delivery expenses are substantial, particularly in light of the size of the petition. Further promotional costs to advertise the petition will be above that.

I cannot overstate the urgency of your financial support today. Both Faith and Freedom PAC and Washington Values Alliance are raising funds to be used for Referendum 71.

We are all working together in every aspect of this effort. All funds given to Faith and Freedom PAC are used exclusively for only 2 things: website expenses directly related to promoting Referendum 71 on the Internet and printing, postage and ground delivery expenses in distributing and collecting petitions. **If funds are available, we may at a later time use some paid media to promote the petition drive.**

Our PAC board has oversight of all our expenditures. The board includes Senator Dan Swecker, Rep. Matt Shea, and Rep. Jim McCune.

It comes down to this: Are you with us? What do we really believe about marriage and family? Will you write a check or donate online? Will you sign and-or circulate these petitions?

Thank you for your most generous response.

Gary Randall

Posted by Gary Randall at 11:49 AM

Wednesday, June 3, 2009

R-71 Petitions Available This Week

Our petition draft & design team encountered a couple of unforeseen difficulties in laying the R-71 petition out, all of which they have overcome. Unfortunately, the problems did set us back a

few hours and we will now go to print Wednesday afternoon, June 3.

We will begin our distribution as soon as the ink is dry.

The layout has been tricky and may contain the largest amount of text of any initiative or referendum to date.

Please be patient as we cross our t's and dot our i's. It is critical *that we get this right the first time* as the other side can be counted on to contest any mistakes or violations.

The good news is that requests for the petitions are pouring in faster than ever in response to threats by homosexual organizations who promised yesterday that they will try to intimidate R-71 petition signers by posting their names and addresses on the web.

R-71 Campaign Team

Posted by Gary Randall at 11:11 AM

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